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AUSTRALIA EAST TIMOR CONSULTATION ON EAST TIMOR, MELBOURNE, 4TH FEBRUARY, 1990

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DOCUMENTAÇÃO
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1. INTRODUCTORY COMMENTS

The meeting was hosted by Australia East Timor Association, Chaired by George Preston.

1.1 In Attendance

The Portuguese Ambassador to Australia, Consul from Melbourne and Sydney, Jose Ramos Horta. There were interstate visitors from Australian Support Groups, members of the Local Fretilin Committee, UDT Committee, Cultural Group and other Timorese. All in all about 120-130 people attended the consultation.

2. PORTUGUESE POLICY ON EAST TIMOR - DR. JOSE LUIS GOMES

Dr. Gomes expressed appreciation to all those giving time to the issue of East Timor, particularly the East Timorese. He said that the basic position of Portugal was well known and had not changed since 1974. What had changed was the priority of the question of East Timor, that is, the question on emphasis or, of more or less activity. The last phase of Portugal's action started in 1982, when the issue of East Timor was referred to the United Nations Secretary General to conduct consultation betweens the parties concerned.

Dr. Gomes made it clear that the UN Secretary General's role was to conduct consultation and not negotiations.

Consultations had two objectives:

1. To look at the human rights problems in East Timor e.g. family reunions, better conditions for international non-government organisations to work in East Timor.

2. To try and create a framework for negotiation and a format for negotiations. Unfortunately, he said, Portugal has not had a good response from Indonesia on the latter.

2.1 Proposed Portuguese Parliamentary Visit to East Timor

Dr. Gomes said that Portugal is concerned that the visit did not just rubber stamp any solution, it was basically to go and talk with the objective to establish a dialogue with East Timorese, with both those in the cities as well as those in the mountains. There was no use he said, for Portugal to make agreements when they were not to know what the people, who are defending the ideals and risking their lives, are willing to accept.

Portugal's Constitution he said, outlines that self determination and independence are the objectives which the government will seek. Without wanting to predetermine that outcome, Portugal believes if the Timorese are able to exercise their right to self determination, then they will choose, 99% sure, independence.

The situation at the moment is that they are st... terms of reference for this visit. Indonesia and Portugal have not been able to come to any agreement yet about that.

2.2 Timor Gap

With regard to the Timor Gap, Dr. Gomes made the following statement that Portugal would "Use all means at our disposal. We will choose the means that we think most appropriate".

With regard to the International Court of Justice, Dr. Gomes said that the decision to go or not to go to the Court in respect to the Timor Gap Treaty, will be on the basis of efficacy not by fear of reaction or any other pressure from any other quarter.

The Ambassador said, "We risk the responsibility of choosing the right action". He said this does not mean that Portugal is less determined with respect to the situation of East Timor, whether or not it goes to the International Court of Justice.

2.3 Discussion

A number of comments and questions followed on the Timor Gap Treaty. Asked whether Portugal would do everything to make the Treaty 'invalid' he replied that 'invalid' was a juridical expression and this would therefore indicate or imply the action Portugal was to take and he would not preempt any decision.

In reply to one comment that the Timorese had been left with the 'stone'(a reference to an analogy about Portuguese stone soup). He was concerned to point out that Portugal has to tailor its actions so as to make some gains at each step. It has to weigh up the consequences of each action and the implications of a worst scenario outcome. The Ambassador said that Portugal does not have the option of a "Thatcher like" intervention in East Timor. East Timorese are the ones who are fighting with ideals and principles, Portugal must be realistic, open, pragmatic. There is nothing to be gained by impatience.

The Ambassador would not be pushed into saying Portugal recognises the Convergence. He clearly welcomed the unity as the outcome of a Timorese decision.

Dr. Gomes reassured one questioner that any East Timorese were eligible to receive a Portuguese passport, but stressed that it was not recognised by Indonesia, hence could not be used to leave Indonesia.

He saw what was happening in Europe, particularly Eastern Europe as very important in terms of precedence for East Timor's 'nationality'

3. REORGANISATION OF RESISTANCE IN THE INTERIOR - JOSE RAMOS HORTA

The reorganisation started in 1989, but the concept goes back to 1983.

In 1989 UDT, Fretilin and Lisbon began receiving messages indicating that change and reorganisation was occurring under Xanana.

The focus is on strengthening unity within East Timor, away from the ideological struggle. In 1987 Xanana began to give the first indications that the struggle for independence was open to every Timorese of any political persuasion. Xanana himself took the first step, in resigning from the Fretilin leadership last year.

After the reorganisation of the Resistance at the end of 1981 under Xanana's leadership, there was an in depth analysis of the mistakes of the Resistance and a decision to move towards national unity. In this time, many who joined Falintil were non Fretilin, which meant that Falintil ceased to be a Fretilin army. Falintil is now the army of all nationalists.

Resistance today is not only in the mountains, but most impressively and encouragingly with the students who have taken a lead in sustaining the resistance in the towns. Indonesia has lost the battle for the younger generation, despite all its efforts in trying to win the hearts and minds of these Timorese through providing scholarships and trying to integrate the young people through the Indonesian education system.

Horta said, "We can say the best school for Timorese nationalism is Jakarta".

Indonesia cannot say the nationalists movement is now the remnants of "Europeanised elements". Those who were in demonstrations in Dili against the US Ambassador and those who were at the Pope's rally, were brought up under Indonesian occupation. They give the nationalist resistance a much greater and more powerful legitimacy.

Not only this, but the younger generation also supplies recruits to the resistance who understand Indonesian army function, who understand better the Indonesian culture, Indonesian language. Indonesia may not have lost the war, but it has lost the battle.

It now crystal clear that the resistance is not led by Fretilin or by UDT. It is Falintil which is a non partisan army, but which has an intimate co-operation with the leadership of both UDT and Fretilin. It is a national army of resistance.

4 THE CHURCH IN EAST TIMOR CHRIS DUREAU

One of the branches of resistance in East Timor is the Church. The Church of East Timor is a microcosm of the situation in East Timor. As well, within every congregation, there are Indonesian placed people working against the struggle.

Twelve months ago, Bishop Belo broke the silence of the Church over past years. It was not until the San Antonio movement had been broken up that he had to point out what gave rise to these movements and in doing so, had to talk about basic violations of human rights. After all other efforts, Bishop Belo found that the only stand he could make was a public one against Indonesia. The sentiments in Bishop Belo's letter to the UN Secretary General and the Apostolic Nuncio in Jakarta and other letters and documents, represented a position that he has sustained throughout 1989 under exceptional pressure.

Where does this leave the Church in East Timor? ... vocal, a democratic voice in public contradiction to the Indonesian position. It is an essential wing of the resistance. Bishop Belo has become a focus without which the voice of the church in East Timor would not be focused. It is up to us now that the Church is awaiting a response.

5. "OPENING UP" - PAT WALSH

As East Timor has now been open for 12 months it is proper to review this situation and what has happened in the last 12 months.

The decision for the 'opening up' came from the top from President Suharto and there were both voices for and against this decision inside Indonesia and East Timor.

There has been a whole string of visitors. East Timor is now a tourist zone. No special documentation is needed anymore to enter East Timor, though once in East Timor, travel permits are required for places outside Dili. There are still very few tourists, so tourists stand out, but there has been increased access by the media and more independent reports of the situation. There is no question that East Timor is open.

Most visitors pick up negative vibes from the situation they find. Whether they speak the language or not wherever they travel within East Timor, they come back with negative reports. The military presence is everywhere.

The opening up, however, has not been an opening up (Glasnost) for the Timorese. They still suffer all manner of abuses and lack of freedoms and civil liberties.

In Java at the end of last year, there was a University seminar on East Timor. Discussed were land issues, question of employment/unemployment, prostitution, etc. There are growing social economic problems resulting from the opening up because it allows external exploitation, this includes international. Pat Walsh stressed that perhaps most importantly the opening up presents a lot of opportunities. NGO's can look at making visits and establishing programmes; human rights organisations should also look at making visits; Timorese handicrafts are now available and can be readily bought and marketed in Australia; Dili is now accessible to direct dialling.

What is clear he said, is that people inside East Timor have picked up very quickly to use the opening up. and it is now important for those of us outside East Timor to make the most of the opportunity to visit, to be informed, to turn our attention to "researching" more closely what is going on there.

6. XANANA GUSMAO'S PEACE PLAN

At the moment this peace plan perhaps raises more questions than it answers.

1. What is the status of this document. It is ... name, but we do not know whether and to what extent as a result of the discussions within East Timor. Does this document represent the formal position of Timorese people through the National Council of MaUbere resistance? Has Fretilin, UDT, studied/endorsed this document?

2. It envisages a substantial central role for Portugal which would appear to be inconsistent with Portugal's policy. We do not know if the plan has been conveyed to Portugal or if theere has been a response.

3. The document is written in a conciliatory and very generous spirit, and makes several surprising concessions. Certainly some principles are outlined which are important for a true peace process.

Discussion

The peace plan is not the starting point for negotiation. There needs to be an agreement, an acceptance of the concept of negotiations without preconditions. Portugal understands this, but a third country is needed, one that will have influence with Indonesia. Holland has agreed in principle, US could also perform that role and is sympathetic. Indonesia is wary about becoming involved in negotiations. In a sense it has little to gain, once beginning a process of negotiations it is an admission that a state of war exists, that the resistance exists and it becomes difficult then to withdraw from such a process. General agreement that peace plan needs further consideration before being promoted.

7. UNITED NATIONS UPDATE - JOSE RAMOS HORTA

As said earlier, negotiations are proceeding regarding a Portuguese Parliamentary visit to East Timor. Horta doubts very much that Indonesia will agree with the visit. When the idea was first proposed Indonesia thought a visit could be manipulated, but the immediate past experience with the Pope's visit for a mere few hours and then earlier this year a visit by the US Ambassador, show they can no longer easily control such visits. Presently they are stalling to force Portugal to break off the negotiations for a visit. Indonesia itself will not want to be seen to be the culprit. Portugal perhaps has banked too much on this visit without really having a follow up strategy.

What we see now is the UN Secretary General coming to the end of his second term. It is possible there might see a showdown in the General Assembly in the United Nations, later this year.

Resolution 37-30 has been positive for East Timor. It has kept it on the Agenda. Indonesia knows that with changes in the world, the whole diplomatic climate will change in the next few years. So it may be to its advantage to go for a showdown in 1990 and not delay.

In this respect, Jose says that there needs to be a Timorese delegation in New York by April or May this year to prepare for the eventuality of a showdown at the UN at the end of this year.

Jose sees that a campaign for governments to re... offensive weapons to Indonesia as being something that would send a strong political message to them. After all, there is no external threat to Indonesia at this time.

8. THE TIMOR GAP TREATY - SASHA STEPAN

Background and History

In 1971 - 1972, Australia and Indonesia began negotiating border agreements and the Gap got its name from a piece of the border that was Portuguese at that time. Oil surveys highlighted potential reserves, with estimates of twice the amount of oil as in Bass Strait. Australia extended de jure recognition of Indonesia's incorporation of East Timor in 1979 and began negotiating again over the boundary and the oil. 1981 talks stalled. In 1984 talks began again, in 1985 there was a break through with the idea of a joint development zone. The Timor Gap Treaty was signed at the end of 1989. However, this Treaty does not determine a permanent delimitation of maritime boundary. It is purely about the development of resources within the zone. The Treaty has not yet come into force. Both the Indonesian and Australian Parliaments need to amend legislation so it is now expected to enter into force in the second half of 1990, after this, both Indonesia and Australia can extend oil exploration licenses. The Treaty is in force for forty years, with an option to renew for another twenty. Sasha Stepan said those that were arguing back in 1975 that East Timor was economically unviable, are the same ones that have agreed on in this Treaty.

Portugal has declared this Treaty illegal and it faces two options:

1. Portugal could decide to take Australia and Indonesia to the International Court of Justice. There is a problem. Indonesia has not accepted jurisdiction of the International Court of Justice, therefore the court could decline to hear it, or hear it with only Australia's presence.

2. Portugal could seek a vote through the UN Assembly to ask for a legal advisory opinion by the International Court of Justice. A simple majority in the UN would be needed. Perhaps there would be some problem in obtaining this.

In discussion following her presentation, Sasha Stepan was asked why the Department of Foreign Affairs apparently was so confident of its position. She said they did not expect Portugal to challenge the Treaty.

Another comment was made that now we are clearer about reason for Australia's acquiescence and connivance over East Timor from the start. Economic motives determined Australia's policy more than we had realised.

Senator Evans argued there was nothing in International law preventing Australia from entering into an agreement or a Treaty over territory that had been acquired by force. If this is true, it is a sad comment on the international system. The best way to test the claim and clarify the legal situation is for the International Court of Justice to plan judgement

In Sasha's view the Advisory Opinion path is [illegible] it should be understood that it makes the Opinion easier to ignore because it will not carry the full weight of a legal judgement.

9. **PARLIAMENTARIANS FOR EAST TIMOR: CLAIRE WOODS**

Apology was given for Tony Lamb, the Convener of Parliamentarians for East Timor (PET) who could not be present at the meeting, also from Jean McLean and Peter Milton, two Victorian members of PET

The Australian branch of PET has 65 members, 33 federal and 32 state. Made up of a mixture of ALP, Democrat and Independent Parliamentarians. To date there are no Liberals.

Most of last year was spent in setting up PET and it is now at the point where perhaps we might look at a formal launch in Australia. Last year, 5 press releases were produced, two newletters and a seminar was held. Attempts last year to get a Parliamentarian to go to New York for the UN decolonisation committee hearings in August, did not succeed, but steps are already underway to have someone there in 1990.

PET welcomes any ideas of what they might do.

10 **SECRETARIAT OF INTERNATIONAL RESISTANCE - JOSE RAMOS HORTA**

In his presentation, Horta made the following points:

1. The Secretariat of International Resistance does not intend to form or become another political party and he personally does not advocate formation of any other political parties until East Timor is independent.

2. He had been around the world on behalf of Fretilin and the East Timor cause for 15 years. As a rank and file member he is still a supporter of Fretilin and happy to co-operate on any particular assignments. As well he has a great respect for UDT, and has been working on and for Timorese unity for the last 15 years.

3. Why a Secretariat? It is not a new idea Xanana has always wanted to set up a non-partisan structure.

   In New York there has already been talks about setting up a Convergence Secretariat. The only difference between those discussions and what is being proposed here, is now to include Timorese who are neither UDT nor Fretilin. There is no need to be exclusive. Fretilin and UDT singly or togethe, are not the sole legitimate representatives of the Timorese people.

   There are many young people in Portugal and Australia with more energy, ideas and commitment than many of those in the political parties and they need to be involved in the struggle. The Secretariat is not to be a political party it is an office to perform a co-ordinating role. SIR is not intended to replace Fretilin or UDT and could not exist if they oppose.

If implemented, Jose believes that this proposal ... more forceful position to the Portuguese. If the Timorese do not soon develop more strength and a rejuvenated front, Portugal and perhaps the world would not take the Timorese seriously.

Xanana has already the left leadership of Fretilin. The question of the Parties is who and what do they represent?

10.1 Function of the Secretariat

1. A council of eminent persons whose members would come from UDT, Fretilin and other Timorese would be established. They would form a forceful and creditible front with the UN, US and other countries who want to know that the country is going to be ruled by mature, sober and capable leaders.

2. A strategic planning group would be established. This would be made up of younger people linked intimately with UDT and Fretilin, and the community. Canberra would be a prime location for the International Secretariat office in Australia.

3. Funds. Horta believes the Secretariat would resolve many of the problems Timorese are currently having in raising funds. This would be particularly so in Japan and France. There would be far more potential than there has been to date to attract e.g. government support..

   [Whether or not the Secretariat goes ahead it would be important to set up an office in Tokyo, Japan. Already there are groups that are prepared to sponsor a post graduate student and for that person to be a Timorese representative at the same time.]

4, An International Advisory Group would be established comprising reprsentatives of the solidarity movement and sympathisers of influence.

5. The Secretariat could possibly go ahead without the support of UDT and Fretilin. If this did happen, the Secretariat would still co-operate and consult closely with the parties.

10.2 Discussion

There was considerable discussion about the issues that Jose raised and the proposal he was putting forward. One issue was seen to be that the Secretariat was going to be competing with the Convergence at every level. Another main concern was that it would not enhance Timorese unity, but add to division within the community. Thirdly that it would provide an opportunity for others who have not been involved in the struggle to jump on the bandwagon, some of whose motives may be dubious.

There are also many expressions of support and encouragement and seeing good points and a need to sit down and discuss them.

One comment saw the initiative as an important prong for a diplomatic offensive. Another welcomed it, as it provided a much needed framework for people outside East Timor to become involved in the struggle.

Other comments were to the effect that the Convergence was not working and therefore something alternative needed to be considered, and that further thought needed to be given to language, Sacha's 'eminent persons', 'elder statement' etc. which came across as hierarchival and sexist.

Another comment urged the Timorese to think positively, be prepared to change as Xanana has and to work together in high spirits and optimism because world trends were favouring the East Timor cause.

Jose's reply made a number of points:

1. This was still only a proposal and therefore was leaving it with people for their comments and their criticisms. The proposal had been sent to UDT, Fretilin and countless copies had been sent inside East Timor and Indonesia and the response had been positive in some quarters.

2. The dissolution or weakening of UDT or Fretilin would be disastrous.

3. We must not be frightened of factions. Factions are lively and they bring out confrontations with new creative ideas. The younger generation has to take initiatives as was done in 1974.

4. He resigned from the Fretilin leadership because of fundamental differences with one person. His failure to advise the Fretilin Committees in advance was a bad mistake for which he now publicly apologised.

11. PROPOSED PLAN OF ACTIVITIES ON EAST TIMOR FOR 1990

11.1 Spotlight on decolonisation

Key documents

1. Bishop Belo's letter of Feb. 89
2. Timorese students letter of 1st September, 1989
3. UN Resolution 43/47 of 22 November, 1988 declaring the decade 1990-2000 the 'International Decade for the Eradication of Colonialism'.

Key dates and campaigns

1. Feb. 90 and following: anniversary of Belo appeal. Recommended that all groups write to the UN Secretary-General, Australian Government, UNAA, MPs, Portuguese Government, calling for proper implementation of UN Res. 37/30 1982 by consulting East Timorese people as called for by Xanana Gusmao, Bishop Belo, East Timorese students in accordance with Decade for Eradication of Colonialism. Attention should be drawn to the fact that Xanana has again stated his readiness to negotiate with Indonesia.

2. UN Decolonisation Committee, August 1990, New York: Australian representation: Peter Philp (CISET), MP (PET) Fund appeal.

3. December 1990: 15th anniversary of Indonesian invasion. Canberra gathering and action.

4. Decolonisation Committee meets in Vanuatu probably in May

5. Timor: to UN NY - April/May

6. Weapons

11.2 Timor Gap Treaty

Key documents

1. Credibility Gap: the Timor Gap agreement and its international implications by Sasha Stepan (to be published by ACFOA and Pluto Press?
2. 'The Timor Gap Treaty - more paper for the cracks or a foundation for the wall?' by Andrew Mills (Inside Indonesia, No. 22 March 1990).
3. 'The Timor Gap Treaty: background briefing' (ACFOA in preparation)

Key date

'Autumn' session of Parliament when Treaty to be ratified.

Actions

1. Treaty seminar at UNSW - 1 February 1990
2. Similar seminar in Melbourne, possible at Law Institute, for MPs, aides and others after Easter.
3. Letters and circulation of documentation (ACFOA briefing) to members of PET in particular.
4. Coordinated activity directed to Australian missions, exhibitions, ministerial visitors etc. overseas.
5. Letters etc. to Portuguese Government.
6. BHP sharehold action at BHP AGM
7. Ads in press (Sydney group to coordinate)

11.3 Human Rights abuses

The need to collect, disseminate and publicise credible information on human rights remains an important as ever.

The resistance and the Church in East Timor have crucial roles in this regard and must be given every support and encouragement.

Visitors to East Timor, both Timorese and non-Timorese, can also contribute by collecting reports and pictures and making them available.

Key Dates

1. UN Commission on Human Rights, February-March, Geneva.
2. UN Sub-Commission, August.

Actions

1. Publicising of human rights abuses in wide range of newsletters, papers, magazines. E.g. NFIP.NL, Australian Society, Outlook Left publications, in additions e.i. our own outlets such as PET NL, AETA NL, CISET NL, Hadomi, Inside Indonesia etc.

2. Letters of concern to Australian Government particular Senator Gareth Evans (or replacement), Minister for Foreign Affairs and Trade Parliament House, Canberra Act 2600.

3. Representation to CHR e.g. Andrew McMillan from Darwin attending current CHR, ACFOA reference to ET in speech etc.

4. Presence in Dec. 10 (Human rights day) activities.

11.4 Church

Actions

1. Petition on first anniversary of Belo's UN initiative to sustain initiative and emphasise central issue.
2. Increased approaches to Australian Bishops in particular to dialogue with Bishop Bel re ways of support
3. Continued reports in Church media esp. Advocate (Melb), leader (Qld), Weekly (NSW), Outlook, all of which reported extensively in 1989.
4. Other expressions of support for Bishop Belo and Church in East Timor.

11.5 Development of Educational Resources

To reach new people, keep ET on existing agendas, develop awareness and action.

Actions

1. Australian Tour of Elaine Briere's photo exhibition
2. Continued cultural performances by East Timorese cultural group.
3. Production of new audio tape, posters, cards (example available)
4. Discussion with VCE re inclusion of East Timor in new senior high school syllabi.
5. Campaign by youth and student organisations to rally support
6. Publication on Xanana Gusmoa: the man and his mission
7. Greater emphasis on publication of one-offs (in addition to newsletters) providing accessible, succinct reports E.G. Collection of the best visitors accounts of last 12 months. Extracts of submissions to the Un Decolonisation Committee
8. Poll of Aust. opinion
9 Timor - Play - Need theatre

11.6 National Co-Ordination

11.7 Implications of Possible Change of Government

11.8 Money

CHR
Vanuatu
Oporto

11.9 Launch of PET

Distribute list of members

11.10 Report to European Sol Meeting - U.K. 10-11 March
Other Sol Groups
Participants

11.11 Convergence Party - 24 March, Noble Park Community Centre